

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**May 14, 2009**

DIVISION ONE

B199227      McAteer      (Not for Publication)  
v.  
Parr Contracting Co.  
Martin Bros. / Marcowall, Inc.

The order vacating the order granting summary judgment and summary judgment and reinstating Martin's cross-complaint is affirmed. Each party shall bear its own costs on appeal.

Bauer, J. (Assigned)

I concur:       Rothschild, J.  
I dissent:       Mallano, P.J. (Opinion)

## DIVISION THREE

B205919 Elkman (Certified for Publication)  
v.  
National States Insurance Company

The order granting the motion to quash is affirmed. The parties shall bear their respective costs on appeal.

Croskey, J.

I concur:       Kitching, J.  
I concur:       Klein, P.J. (opinion)

DIVISION THREE (continued)

B212498      Los Angeles County, D.C.F.S.      (Not for Publication)  
                 v.  
                 L.N.

The order from which Father has appealed is affirmed.

Croskey, Acting P.J.

We concur:    Kitching, J.  
                 Aldrich, J.

B204868      People      (Not for Publication)  
                 v.  
                 Christopher Van Allen

The judgment is affirmed.

Klein, P.J.

We concur:    Croskey, J.  
                 Aldrich, J.

B206079      People      (Not for Publication)  
                 v.  
                 Cicero Greenwood

The judgment is affirmed.

Klein, P.J.

We concur:    Croskey, J.  
                 Kitching, J.

DIVISION FOUR

Court convened at 9:00 a.m.

Present: Epstein, P.J., Willhite, J., Manella, J. and S. Veverka, Deputy Clerk.

B204682     People  
              v.  
              Soma

Merits:

Argued by Joanna McKim for appellant and by Peggy Z. Huang, deputy attorney general, for respondent. Cause submitted.

B209952     People  
              v.  
              McLernon

Merits:

Argued by Mathew K. Higbee for appellant and by David A. Voet, deputy attorney general, for respondent. Cause submitted.

B209814     Farb  
              v.  
              Superior Court, Los Angeles County  
              (Farb et al., r.p.i.)

Merits:

Argued by Charles A. Bird for petitioner and by Mitchell Keiter for real parties in interest. Cause submitted.

B199485     Wesley  
              v.  
              Wells Fargo

Merits:

Argued by Franklin L. Ferguson, Jr. for appellant and by Howard L. Magee for respondent. Cause submitted.

May 14, 2009 (Continued)

DIVISION FOUR (continued)

Court recessed.

Court reconvened at 1:30 p.m.

Present: Epstein, P.J., Willhite, J., Manella, J. and S. Veverka, Deputy Clerk.

B210137      DCFS v. N.A.

Argument waived, cause submitted.

B207876      Diaz  
v.  
Romero et al.

Merits:

Argued by Richard J. Radcliffe for appellants and by Speros P. Maniates for respondent. Cause submitted.

B206332      People  
v.  
Gabrielyan

Merits:

Argued by Catherine Campbell for appellant and by Ryan M. Smith, deputy attorney general, for respondent. Cause submitted.

B205933      Avedikian  
v.  
20th Century Fox Film Corporation, et al.

Merits:

Argued by Mark D. Wenzel for appellant and by Nicholas M. Gedo for respondents. Cause submitted.

Court adjourned

May 14, 2009 (Continued)

DIVISION SIX

Court convened at 1:30 p.m.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J., P. McGill, Chief Deputy Clerk and G. Bents, Deputy Clerk.

B194567      People v. Jones

Argument continued to June, 2009.

Each of the following:

B203628 People v. Arana  
B205464 People v. Wagner  
B205538 People v. Smith  
B206638 People v. Alonzo  
B207059 People v. Ayabar  
B207806 People v. Schaefer  
B208398 People v. Nunnery  
B208585 People v. Lewis  
B208893 People v. Perez  
B209096 People v. Velarde  
B209183 People v. Pereda  
B209304 People v. Rivera  
B209350 People v. Cervantes

Argument waived, cause submitted.

B203551      People  
                  v.  
                  Magallon

Merits:

Argued by Laini M. Melnick for appellant and by Yun K. Lee, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (continued)

B206793     People  
              v.  
              Kennedy

Merits:  
Argued by Richard B. Lennon for appellant and by David Wildman,  
Deputy Attorney General, for respondent via video conference. Cause  
submitted.

Gilbert, P.J. left the bench.

B208582     People  
              v.  
              Contreras

Merits:  
Argued by Gregory Thomas May for appellant. Argument previously  
waived by respondent. Cause submitted.

Gilbert, P.J. returned to the bench.

B206341     People  
              v.  
              Martinez

Merits:  
Argued by Richard C. Gilman for appellant and by Mary Sanchez, Deputy  
Attorney General, for respondent via video conference. Cause submitted.

B207202     People  
              v.  
              Molina

Merits:  
Argued by Lisa Marie J. Spillman for appellant and by Blythe J. Leszkay,  
Deputy Attorney General, for respondent via video conference. Cause  
submitted.

DIVISION SIX (continued)

B208472     People  
              v.  
              Miller

Merits:

Argued by Lawrence R. Young for appellant and by David Wildman, Deputy Attorney General, for respondent via video conference. Cause submitted.

Yegan, J. left the bench.

B206010     People  
              v.  
              Martinez

Merits:

Argued by Aris Karakalos for appellant and by Sarah J. Farhat, Deputy Attorney General, for respondent via video conference. Cause submitted.

B207198     People  
              v.  
              Tokio

Merits:

Argued by Gerald Franklin, Senior Deputy District Attorney, on opening argument for appellant; and by Kimberly Smith, Deputy District Attorney, on rebuttal argument for appellant. Argued by Rachel Solomon, Deputy Public Defender, for respondent. Cause submitted.

May 14, 2009 (Continued)

DIVISION SIX (continued)

B208748     Kling  
              v.  
              Ventura County Superior Court

Alternative Writ:

Presented by Michael C. McMahon, Chief Deputy Public Defender, for  
petitioner and by Michael D. Schwartz, Special Assistant District Attorney,  
for real party in interest. Cause submitted.

Court adjourned.

DIVISION SEVEN

B210493     Aron  
              v.  
              S. C. L. A.  
              U-Haul Company of California, et al.,

Filed order denying petition for rehearing.